

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MARK HAINES,
Plaintiff,
vs.
DARYL B. BRAND, et al.,
Defendants.

Case No.: 11-CV-1335 YGR

ORDER DISMISSING CASE

TO ALL PARTIES AND COUNSEL OF RECORD:

On September 24, 2013, the Court was advised that the plaintiff in this action had died. The Court, among other things, set a hearing for 2:01 p.m. on November 4, 2013, to determine whether the case would proceed. (Dkt. No. 140.) The Court specified that failure by plaintiff's representative to file a written notice of intent to proceed at least five business days before the hearing, or to appear at the hearing, would result in dismissal for failure to prosecute.

As of the date of this Order, no representative for plaintiff has filed a written notice of intent to proceed. Nor did any such representative appear at the November 4, 2013 hearing. Accordingly, the Court deems this case abandoned. The Court hereby **DISMISSES** this case for failure to prosecute.

This Order terminates Case No. 11-cv-1335.

IT IS SO ORDERED.

Dated: November 5, 2013

Yvonne Gonzalez Rogers
YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE